

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST**

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|----------------------------|---|-------------------------|
| ORACLE AMERICA, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| THE UNITED STATES, |) | |
| |) | No. 18-1880C |
| Defendant, |) | (Senior Judge Bruggink) |
| |) | |
| and |) | |
| |) | |
| AMAZON WEB SERVICES, INC., |) | |
| |) | |
| Defendant-Intervenor. |) | |

DEFENDANT'S STATUS REPORT

Pursuant to the Court's February 19, 2019 order, defendant, the United States, respectfully provides this status report regarding the Joint Enterprise Defense Infrastructure (JEDI) cloud procurement. After reconsidering its earlier determination regarding Deep Ubhi's potential personal conflicts of interest, the Department of Defense (DoD) determined, on April 9, 2019, that there is no negative impact on the procurement from Mr. Ubhi's actions. On April 9, 2019, DoD also determined that defendant-intervenor, Amazon Web Services, Inc. (AWS), has no organizational conflict of interest that requires its exclusion from the procurement. On April 10, 2019, DoD established a competitive range of AWS and Microsoft Corporation. Plaintiff, Oracle America, Inc. (Oracle), was eliminated from the competition.

The parties have conferred and have agreed to propose the following schedule in this case:

- Oracle shall file a supplemental complaint on or before April 26, 2019

- The Government shall file an amendment to the administrative record on DVD on or before May 2, 2019
- Oracle shall file any motion regarding the contents of the administrative record on or before May 15, 2019
- Oracle shall file a renewed motion for judgment on the administrative record on or before May 24, 2019
- The Government and AWS shall file their cross-motions for judgment on the administrative record and responses to Oracle's renewed motion for judgment on the administrative record on or before June 11, 2019
- Oracle shall file a response to the Government and AWS's cross-motions for judgment on the administrative record and a reply in support of its renewed motion for judgment on the administrative record on or before June 21, 2019
- The Government and AWS shall file their replies in support of their cross-motions for judgment on the administrative record on or before July 1, 2019
- The parties are available for oral argument at the Court's convenience on or after July 8, 2019
- DoD will not award the JEDI contract before July 19, 2019¹

¹ If the Court is not inclined to adopt the parties' proposed schedule, the Government respectfully requests a status conference to discuss alternatives.

Respectfully submitted,

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April 15, 2019

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